

LYNDON CITY COUNCIL  
REGULAR MEETING MINUTES OF  
July 6, 2020

The Lyndon City Council met in regular session on Monday, July 6, 2020, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Steve Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Morrison, Council President Darin Schmitt, and members Kevin Heit and Doug Harty present. Members Katie Shepard and Lynn Atchison were absent with notification.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; Scott Culley, Public Works; Travis Brown, Zoning Administrator; and Officer David Forkenbrock.

Others Present: Christine Flynn; Toby and Mary Young; Holly Jones; and Gene Hirt.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING:

- a) Schmitt made the motion to approve the regular meeting minutes of June 15, 2020 as amended. Harty seconded; motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Harty made the motion to approve the bills as set forth. Schmitt seconded; motion carried.

4. PUBLIC COMMENTS: Christine Flynn who is running for Osage County Clerk introduced herself to the Council and spoke briefly about her background and what she hopes to bring to Osage County. She also provided information and dates about upcoming political forums and the events for the Osage County Fair. She also reminded people to get out and vote at the primary election on August 4, 2020.

Gene Hirt spoke about CARES Act funding the county received and voiced his concerns about Jones Park and the current lighting project.

Holly Jones spoke about the late fees charged on utility bills and other concerns.

Toby Young spoke about a sidewalk issue on 4<sup>th</sup> Street and how it is blocked from use, provided pictures, and requested that the issue be remedied so that it can be used by the neighborhood children. Mayor Morrison stated the Council would take it under advisement.

Mary Young wanted to let the Police Department know that she is glad we have police officers and that she appreciates the work they do.

5. CORRESPONDENCE TO COUNCIL:

- Copy of Public Wholesale Water Supply District #12 for May 20, 2020.

6. UNFINISHED BUSINESS:

- a) DRAFT ORDINANCE NO. 837 – SPECIAL PURPOSE VEHICLES: The City Attorney provided Council with a draft copy of the ordinance for review in regards to allowing special purpose vehicles in city limits. After brief discussion, it was tabled to allow for Council review and to come back at the next meeting with any changes they would like to see. The City Clerk also included a draft copy of the registration form which she has adapted from other cities.
- b) REVIEW OF CITYWIDE CLEAN UP: Citywide cleanup was held on Saturday, June 27, 2020 from 8 a.m. to 4 p.m. There were some issues with people utilizing the site before Saturday and possible use by non-residents of the city. It was noted the Council might consider limiting the amount one resident can bring to ensure that everyone gets a chance to take advantage of the cleanup day.

The Maintenance Supervisor stated for future clean up days that some regulations be put in place which include proof of residency and better monitoring of the site before and after the hours of clean up. It was noted that because of more people being home during the pandemic it may be the cause for the larger quantity of items being discarded and better utilization of cleanup day.

- c) CITY FACILITIES – CITY HALL AND COMMUNITY CENTER: Mayor Morrison stated there has been an increase in COVID-19 nationwide as well as statewide for the safety of employees and City Hall that the lobby was re-closed July 2nd. It was noted when the lobby was closed earlier in the year there were no issues with continuing to provide services through the drive through window.

A lengthy discussion was held in regards to keeping the community center open for events and what steps would need to be taken if kept open. It was consensus of the council to continue allowing events and that the building will need to be sanitized after each use by either city staff or cleaning services. There will be no double booking of events for the time being and signs with information will be hung at the community center in regards to continuing the recommendations of the CDC as far as social distancing, masks, etc.

The City Clerk stated she will speak with Nina Green as well as staff in regards to sanitizing the community center and facilitating that after each use.

7. NEW BUSINESS:

- a) PETITION TO VACATE ALLEY: The Council was provided with a copy of the petition to vacate an alley which runs east and west between 9<sup>th</sup> and 10<sup>th</sup> Streets and in the block of Topeka to Ash St. The City Attorney stated there is a platted, but unopened alley in that particular block and one of the issues is there is a structure



involved which encroaches on the alley right-of-way. The adjoining landowners have filed a petition to vacate the alley in order to clear up a title issue on the properties.

The City Attorney stated surrounding landowners have to be notified and public hearing published in the paper providing 20 days advanced notice of the hearing. The City Attorney stated this will tentatively set the hearing for the August 3<sup>rd</sup> meeting if the Council wants to proceed. After the hearing an ordinance will be drafted closing the alley and will also state the city reserves all utility rights on existing utilities. If the Council is agreeable and approves the ordinance it will be filed with the Register of Deeds office. It was also noted that historically the petitioners pay for the publication costs for the hearing notice and ordinance. Heit made the motion to have the City Attorney proceed with the appropriate paperwork for vacating the alley. Schmitt seconded; motion carried.

- b) PURCHASING OF CULVERTS: This item was added to the agenda after request from Maintenance Supervisor who stated he needed to purchase culverts in the amount of \$1,152.60 for replacement at entrances to the high school. The City Clerk stated no expenses have been expended this year from the Stormwater fund and there is funding for these culverts. Heit made the motion to approve the purchase of the culverts from the Stormwater fund. Schmitt seconded; motion carried.

#### 8. STAFF REPORTS:

- a) POLICE: Council received a copy of the Officer's report from June 16 to July 4 from Officer Forkenbrock and briefly discussed.
- b) PUBLIC WORKS: Council received a copy of the Maintenance Activity report from June 15 to July 6, 2020.

It was noted the chlorine burnout by PWWSD#12 had concluded on June 28, 2020.

- c) CITY CLERK: The City Clerk stated that she wanted to clarify the late charge that was brought up earlier in the meeting. She stated that per the ordinance utility bills are due on the 23<sup>rd</sup> of each month, if not paid then on the following business day the 24<sup>th</sup> late fees are applied and residents are given to the 1<sup>st</sup> at noon.

City Clerk stated she has been in contact with Mr. Peroo and has obtained a list of things that is needed to help facilitate preparing the 2021 budget. She stated it is her hope to have the budget ready to present by the August 3 meeting.

#### 9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Harty thanked the staff for continuing to work hard and doing the best they can for the city. He also stated the 4<sup>th</sup> of July parade went well and they had a good turnout.

Mayor Morrison stated the local filter service provided a quote for filters for the HVAC systems at City Hall and Community center which after looking at the current contract with Modern Air is already covered under the maintenance plan. It was noted by the

Maintenance Supervisor that the service might be able to be utilized for filter replacement at the new headworks sewer plant which have four 16x20 and four 20x20 filters. The filter sizes will be provided to the local filter service to obtain a quote.

Mayor Morrison thanked the Pride and city staff for their assistance with the 4<sup>th</sup> of July parade. He also thanked Council for participating in judging the parade and serving watermelon.

City Attorney Pat Walsh stated this issue has been brought up several times over the past few years and again recently. He discussed the approximate 5-block difference in city limits and the location of the 30 mile per hour speed limit sign heading west out of town. He recommended another 30 mile per hour placed closer to Jackson Street on 6<sup>th</sup> on the west bound side to remind drivers of the speed limit and it was noted by the Maintenance Supervisor that he had spoken with Officer Manning and it was already in progress and should be installed tomorrow.

Mayor Morrison reminded the Council that it is Lyndon's Sesquicentennial (150<sup>th</sup> Anniversary) and that Fall Fest is just around the corner. He stated that anything anyone can do to contribute to this event would be greatly appreciated.

10. EXECUTIVE SESSION: At 8:27 p.m. Schmitt made the motion to recess to executive session for non-elected personnel for 15 minutes with the City Attorney attending. Harty seconded; motion carried. At 8:42 p.m. Council reconvened with no binding action taken.
11. ADJOURNMENT: Schmitt made the motion to adjourn to Monday, July 20, 2020 at 7:00 p.m. for regular meeting. Harty seconded, motion carried.

Respectfully submitted,



Julie Stutzman, CMC  
City Clerk

Approved by the governing body on July 20, 2020

Attest:



Julie Stutzman, CMC  
City Clerk

